

MEETING WILL BE LIVE STREAMED ON YOUTUBE: Page County, Virginia- YouTube

AGENDA

Page County Planning Commission Regular Meeting Board of Supervisors Room- County Government Center 103 South Court Street, Luray, VA 22835 December 14, 2021- 7:00 p.m.

Call to Order

- A. Pledge of Allegiance
- B. Moment of Silence
- C. Microphone Reminder
- D. Attendance Roll Call

Adoption of Agenda

Public Hearing

A. Jeffrey A. Cardwell- Special Use Permit Application

Tracy Clatterbuck

Citizen Comments on Agenda Items

New Business

A. Johnathan Martinez-Special Use Permit Application

Tracy Clatterbuck

- B. 2022 Meeting Schedule
- C. Adoption of Minutes-November 23, 2021

Unfinished Business

A. Cape Solar, LLC- Special Use Permit Application

Tracy Clatterbuck

B. Review draft of Zoning and Subdivision Ordinance provided by the Berkley Group

Open Citizen Comment Period

Chairman's Report

Clerk's Report

<u>Adjourn</u>

TO: Page County Planning Commission

FROM: Tracy Clatterbuck, Zoning Administrator

SUBJECT: Jeffrey A. Cardwell- Special Use Permit (Public Hearing)

DATE: December 7, 2021

SUMMARY:

Special use permit (SUP) to place a manufactured home in the Land of Luray Subdivision

BACKGROUND:

Jeffrey A. Cardwell has filed an application for a special use permit to place a manufactured home in the Land of Luray Subdivision located on Park View Drive, Luray, VA, and further identified by tax map number 48B-6-B14. The density range in the area is Medium-High. The applicant is proposing to put a 13'8"x48' singlewide on the lot. The property is currently improved with storage buildings.

Pursuant to § 125-11 D.(3) of the Page County Zoning Ordinance, a manufactured home in a subdivision is only permitted by a special use permit. Section 125-29 of the Page County Zoning Ordinance, states the county shall consider the following criteria upon application for a special use permit:

- A. The existence of any restrictive covenants prohibiting the location of manufactured homes in the subdivision, and if any such covenant exists at the time of application for the special use permit, then such application shall be denied.
- B. The number of manufactured homes existing in the subdivision for which application is being made.
- C. Consent of adjoining landowners.
- D. The position of other landowners in the subdivision, including any position taken by the property owners association of the subdivision
- E. Other criteria which may assure the enforcement of any other provisions of this section and the intent of this section.

A copy of the covenants that were provided by the applicant are included in the application packet. There are lots in the subdivision that currently have manufactured homes on them as well. Once a public hearing is scheduled, adjoining landowners will be notified as required by the Code of Virginia.

OTHER AGENCY COMMENTS:

<u>Virginia Department of Transportation (VDOT)</u> – Per James Craun, there are no objections to the request.

<u>Health Department</u>- Per Todd Lam, there are no objections to the request. A one-bedroom sewage system construction permit has been issued.

Building Official- Per James Campbell, there are no objections to the request.

<u>Subdivision Property Owners Association</u>- Per the President or Secretary of the association, there are no concerns at this time.

PAGE COUNTY COMPREHENSIVE PLAN:

Regarding the Page County Comprehensive Plan, Volume 1, Chapter 3, Policy 8.1 states, "Encourage and support initiatives that upgrade the quality of life and standard of living for residents, including adequate and affordable housing." Also, policy 8.3 states, "Encourage adequate affordable housing opportunities for low- to moderate-income residents of Page County and to those working and desiring to live in Page County."

FISCAL IMPACT:

None

MOTION(S):

I move that the Page County Planning Commission approve the special use permit for the placement of a manufactured home in the Land of Luray Subdivision on tax map number 48B-6-B14 with the attached special use permit conditions.

OR

I move an alternative motion.

ATTACHMENTS:

SUP Application Packet SUP Draft Conditions



SPECIAL USE PERMIT

Owner: Jeffrey A. Cardwell
Tax Map #: 48B-6-B14
Purpose: Manufactured home in subdivision

APPROVED	DENIED	
By the Page County Boa	ard of Supervisors on	

- 1. This special use permit is transferable, it will meet the requirements in and have privileges provided for in the Page County Zoning Ordinance, and any ordinance amendments for the period set forth within the parameters in this special use permit. The special use permit shall remain with the property for a period of fifty (50) years.
- 2. Jeffrey A. Cardwell or its successor and/or assigns, shall be in compliance with all county ordinances, the Uniform Statewide Building Code, and all state and federal agency regulations.
- 3. Any change of use or expansion not included in this special use permit will require an additional, new, or modified special use permit as required by the Page County Zoning Ordinance at that time.
- 4. This special use permit may be revoked upon material noncompliance with the terms of the permit, or upon violation of any other relevant terms of the Zoning Ordinance or any other ordinances of the County of Page, Virginia. However, prior to the commencement of any action to revoke this permit, the county shall notify the permit holder in writing of the material in noncompliance or violation, and the permit holder shall have thirty (30) days thereafter to cure the material non-compliance or violation. The notice shall be deemed given when hand delivered to the permit holder or when mailed by certified mail, return receipt requested, to the permit holder.
- 5. The Zoning Administrator or their designated representative may visit the site at any time to ensure compliance with the special use permit.
- 6. This special use permit shall be null and void if the manufactured home is replaced with any residential dwelling that is permitted by-right within the residential zoning district.

I (we) the undersigned owner(s)/occupant(s) understand and agree to the foregoing conditions of this special use permit. I further understand that this special use permit may be reviewed on a

Owner(s)/Occupant(s)	Date	
Board of Supervisors Chairman	Date	
County Administrator	Date	

yearly basis or at any time, the county determines necessary to ensure the compliance with and

COUNTY OF PAGE SPECIAL USE PERMIT APPLICATION

	FOR OFFI	CE USE ONLY:	
DATE RECEIVED:	11/1/21	DENSITY RANGE:	Med-High
AMOUNT PAID:	950.00 11/9/21	RECEIPT #:	Dir Dp.
	* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *	*** * * * * * * *
2. OWNER/MAILING	ADDRESS	OCCUPANT (If other than ow	mer)
Name: <u>Jeffrey</u>	A Cardovell	Name:	
Address: 326 Sh	(y view drive	Address:	
Luray Va	22835		
,	0-244-9536	Phone Number:	
3. Site Address: Lo	5 14/15	Park View Drive,	Luray (1)
4. Directions to property	R+ 211 TO R	2+ 615 (10mgs Rd),	Right on
medowi	view 14 mile	Ron Porkvie	wdrive
1/8 mile	on left si	gn on Temp Ele	c pole
	1.08 Acre/		
6. Tax Map Number: Magisterial District: _	# - 7 48 B 19 May Sville (t = B15 48B-	6-B14 W
		of house hold go	
8. Description of propose	ed use: 1 bed Room	n (Singlewide	Mobile Home)
		ige, 12×16 storage, R	
9. Present Zoning:	A-1 (Agriculture) C-1 (Commercial) W-C (Woodland (<u> </u>	R (Residential) I (Industrial)

10. Applicants' additional comments, if any:	
House is being Manufac	tured by Pats Manon Homes
825 No. Main st Movad	CROW Lond Va 22841
contact inso Mike Ans	eli 540-434-9951
met. Please refer to the attached "Power of Attorne spokesperson, who is not the property owner, representations."	on, the Board of Supervisors may require that I (we) all shall not be considered valid until these conditions are y" form for those applicants that desire to have a ent the application and property.
Signature of Owner: Lawy A Carelle Signature of Applicant: Lawy A Carelle	ull 16-6-21
Signature of Applicant:	M 10-6-21
	\$ _{\(\triangle\)}
ZONING ADMINISTRATOR	DATE

Submit names and complete mailing addresses of ALL adjoining property owners, including property owners across any road or right-of-way (Continue on separate sheet if needed).

Note: Names and address of property owners may be found in the Real Estate and Land Use Office at the Commissioner of Revenue's Office.

NAMUE	ADDRESS
Relos Apolinar	2460 Mission St. Ste 202
Josse + Lyce Knight	2460 Mission St. Ste 202 San Francisco, CA 94110 199 Dayle Rd, Luray UA 22825
Gayle Simon	1422 Tennyson St. Denuar (0 80204
Powell Sutherland	2101 Dovel Hollow 2d Stanly 4
Albert + Junet Huschall	10231 Shawnee Ln Spotsy Vania, VA
Phillips Trusteer	977 Smindle Trail # 292 Charlo Hesuille V4 22901

ADJOINING PROPERTY OWNER VERFICATION:

AS APPLICANT FOR THIS SPECIAL USE PERMIT REQUEST,

16-6-21

DATE

SIGNATURE OF APPLICANT

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW **BEFORE SUBMITTING THIS APPLICATION** TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY 3536 NORTH VALLEY PIKE HARRISONBURG, VIRGINIA 22802 (540) 434-2587

Entrance to SR 615 15 good.
9-28-21 DATE VDOT OFFICIAL
******** PAGE COUNTY HEALTH DEPARTMENT 75 COURT LANE LURAY, VIRGINIA 22835 (540) 743-6528
No objections to this request.
A 1-bdrn surage system construction permit has been issued. 10-29-2021 DATE HEALTH OFFICIAL
******** PAGE COUNTY BUILDING OFFICIAL 103 S COURT STREET, SUITE B LURAY, VIRGINIA 22835 (540) 743-6674
No Objections to Request, Need proper permits before constructions
DATE DATE DATE DATE DATE
* * * * * * * * * * * * * * * * * * *
No concerns AT This Time. Land of Luray P.O.A P.D. ROX 509 Luray, VA 20035
Allow Fresident or secretary

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW BEFORE SUBMITTING THIS APPLICATION TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY 3536 NORTH VALLEY PIKE HARRISONBURG, VIRGINIA 22802 (540) 434-2587 Entrance to 52 615 13 good. PAGE COUNTY HEALTH DEPARTMENT 75 COURT LANE LURAY, VIRGINIA 22835 (540) 743-6528 No objections to this request.

A 1-bdrn surage sistem construction permit has been issued.

10-29-2021

Total W. Far HEALTH OFFICIAL DATE PAGE COUNTY BUILDING OFFICIAL 103 S COURT STREET, SUITE B LURAY, VIRGINIA 22835 (540) 743-6674 LAND OF LURAY P.O.A 9.0. Box 509 LURAY VA 22835 BUILDING OFFICIAL DATE SUBDIVISION PROPERTY OWNERS ASSOCIATION

PRESIDENT OR SECRETARY

NO CONCERNS AT This TIME.

DATE

Tracy Clatterbuck

From:	Lam, Todd <todd.lam@vdh.virginia.gov></todd.lam@vdh.virginia.gov>
Sent:	Monday, November 1, 2021 9:26 AM
To:	Tracy Clatterbuck
Subject:	Jeffrey Cardwell SUP Comments // TM 48B-6-B14 & B15
Attachments:	48B-6-B14,B15_Special Use Application.pdf; 48B-6-B14,B15_Sewage Construction
•	Permit.pdf

[NOTICE: DO NOT CLICK on links or open attachments unless you are sure the content is safe. No email should ever ask you for your username or password.]

Tracy,

Attached is a copy of VDH comments for SUP and a 1-bdrm sewage system construction permit for the subject property. I will notify the applicant that his SUP application is ready for pick-up.

Thanks,

Todd W. Lam
Environmental Health Specialist, Sr.

×	144.14.4.4.4.4.4.4.4.4.4.4.4.4.4.4.4.4.	
		1

Woodstock Office: 540-459-3733 Woodstock Desk Phone: 540-459-6971

Luray Office: 540-743-6528 Luray Desk Phone: 540-244-3188



Frederick/Winchester H.D. (Lord Fairfax Health District Headquarters Office) 10 Baker Street Winchester, VA 22601 (540) 722-3470

PE Construction Permit 32.1-163.6

October 28, 2021

Sewage Disposal System Construction Permit - Va. Code § 32.1-163.6

Jeffrey Cardwell PO Box 31 Luray, VA 22835

RE: tbd Parkview Drive, Luray, VA 22835

Tax Map/GPIN: 48B-6-B14,B15 /? Land of Luray Subdivision Section: B Lots: 14 & 15

County: PAGE/139

Permit ID: 139-STS-35164 R // Health Dept. ID: 139-21-0410 System Capacity; Residential, 1 Bedrooms, 150 gallons per day

Occupancy Limit: 2 persons maximum

Proposed Water Supply: Holding Reservoir with continuous disinfection

Dear Jeffrey Cardwell:

This letter and the attached drawings, specifications and calculations prepared by Racey Engineering (21 pages), dated 10/04/2021, constitute your permit to install a sewage disposal system, on the property referenced above. Your application for a permit was submitted pursuant to § 32.1-163.6 of the Code of Virginia, which requires the Virginia Department of Health (VDH) to accept designs for onsite sewage systems from individuals licensed as Professional Engineers (PEs). This law allows PEs to design onsite sewage systems that do not fully comply with the Sewage Handling and Disposal Regulations (12 VAC 5-610-10 et seq.) and requires VDH to accept such designs provided they comply with standard engineering practices, performance requirements set by the Board of Health, and certain horizontal setback requirements necessary to protect public health and the environment. VDH hereby recognizes that the design submitted by Gary Shirley, P.E. complies with the requirements of the Code of Virginia and the applicable regulations and grants permission to install the system as designed in the area shown on the attached plans and specifications.

If modifications or revisions are necessary between now and when the system is constructed, please contact the PE who designed the system upon which this permit is based. Should revisions be necessary during construction, your contractor should consult with the PE. The PE is authorized to make minor adjustments in the location or design of the system provided that adequate documentation is provided to the Page County Health Department.

The PE that submitted the design for this permit is required by the Sewage Handling and Disposal Regulations to conduct a final inspection of this sewage system when it is installed and to submit an inspection report and completion statement to the Page County Health Department. The sewage system may not be placed into operation until you have obtained an Operation Permit from the Page County Health Department.

This Construction Permit is null and void if site and soil conditions are changed from those shown on your application or if conditions are changed from those shown on the attached plans and specifications. VDH may revoke or modify any permit if, at a later date, it finds that the system would threaten public health or the environment.

This permit approval has been issued in accordance with applicable regulations based on the information and materials provided at the time of application. There may be other local, state, or federal laws or regulations that apply to the proposed construction of this onsite sewage system. The owner is responsible at all times for complying with all applicable local, state, and federal laws and regulations. This construction permit is transferrable until expired or deemed null and void. A permit

transfer form may be found on the VDH website at http://www.vdh.virginia.gov/environmental-health/gmp-2015-01-forms/ .

If you have any questions, please contact me.

This permit expires April 28, 2023.

Todd W. Lam.

Sincerely

Environmental Health Specialist, Sr.

CC: Gary Shirley, P.E. PCHD file

Well and Sewage Contractors: Please notify Health Department and OSE or PE 48 hours prior to installation to arrange for inspection

WHAT YOU WILL NEED TO GET YOUR SEPTIC SYSTEM OPERATION PERMIT

A construction inspection by the local health department is REQUIRED. Sewage contractor must notify this agency a minimum of 48-hours prior to initiation and/or completion of system installation.

In addition, your system must have a satisfactory inspection at the time of installation from the design PE. Your PE must submit a copy of the inspection results, complete with an as-built diagram, to the Health Department.

Please ensure that your contractor turns in a Completion Statement to the local Health Department after installation,

Your permit is for an alternative system. After satisfactory system installation, you must sign, have notarized, and record a Notice of Recordation form in your locality's land records. Please bring proof of this recordation to the local Health Department. The form will be provided upon receipt and satisfactory review of all third-party installation documents.

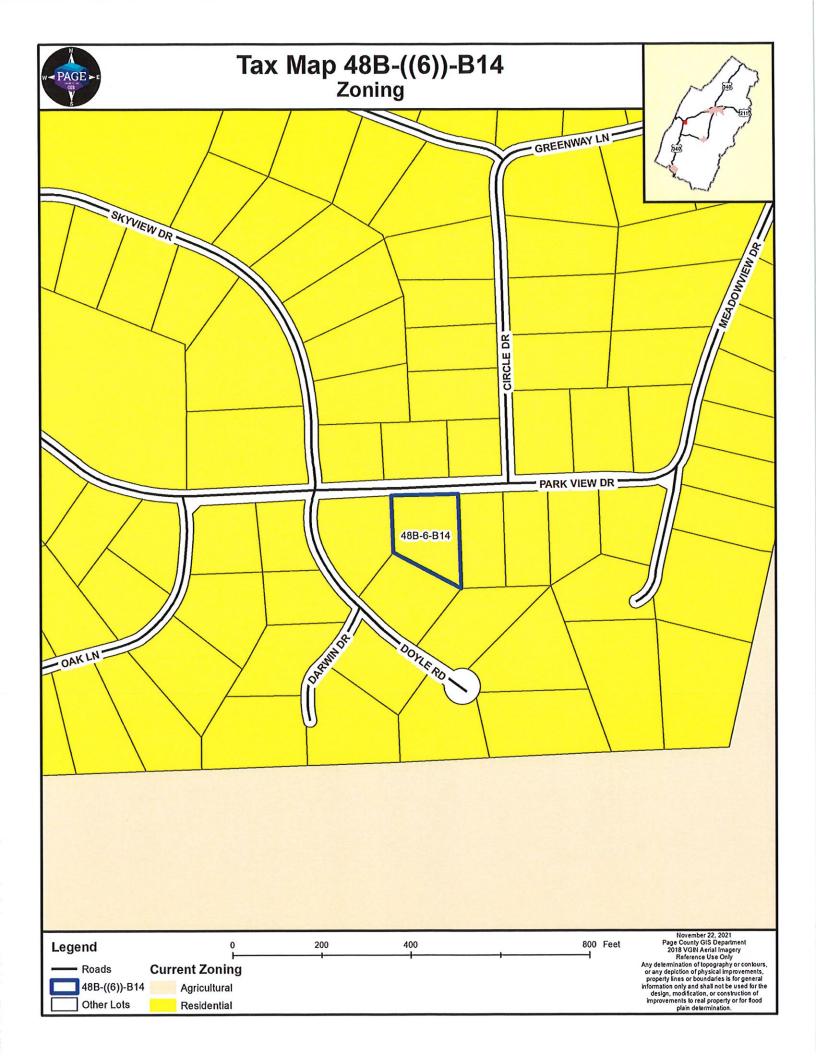
Submit a Maintenance and Monitoring plan, prepared by a qualified professional, that complies with the criteria contained in 12 VAC 5-613-170 of the Alternative Onsite Sewage System Regulations.

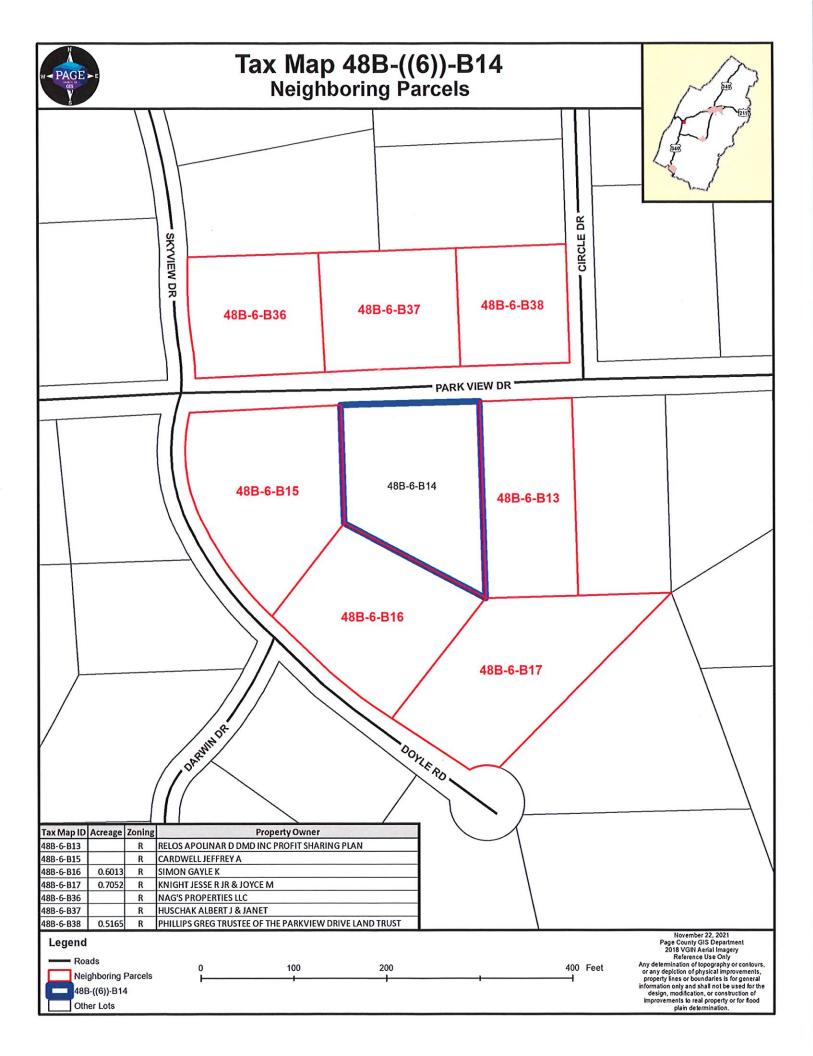
The drinking water reservoir must be equipped with a continuous means of disinfection that has been manufactured and certified for use as a potable water disinfection device.

Allow 5 business days after the last piece of documentation is received for the Operation Permit to be issued. To avoid delays, clearly label each piece of documentation with the property Tax Map/GPIN number and HDID number shown above and on your construction permit. Please note that due to the individual circumstances of your permit there may be additional required items not covered by this checklist.

If you have any questions about any of the items on this list, please do not hesitate to contact the Page County Health Department at 540-743-6528.







42B-((6))-B14 Neighboring Parcels

Tax Map ID	Acreage	Zoning	Property Owner	Physical Address	Mailing Address	M City	M State	M Zip
√48B-6-B13		R	RELOS APOLINAR D DMD INC PROFIT SHARING PLAN		2460 MISSION ST SUITE 202	SAN FRANCISCO	CA	94110
48B-6-B15		R	CARDWELL JEFFREY A		351 SECLUSION RIDGE RD	LURAY	VA	22835
48B-6-B16	0.6013	R	SIMON GAYLE K		1422 TENNYSON ST	DENVER	СО	80204
48B-6-B17	0.7052	R	KNIGHT JESSE R JR & JOYCE M	199 DOYLE RD	199 DOYLE RD A/ Moin Sh	LURAY	VA	22835
48B-6-B36		R	NAG'S PROPERTIES LLC		426 NAG'S PROPERTIES LLC	BRIDGEWATER	VA	22812
48B-6-B37		R	HUSCHAK ALBERT J & JANET		10231 SHAWNEE LN	SPOTSYLVANIA	VA	22553
48B-6-B38	0.5165	R	PHILLIPS GREG TRUSTEE OF THE PARKVIEW DRIVE LAND TRUST		977 SEMINOLE TRAIL #292	CHARLOTTESVILLE	VA	22901

Consideration Paid on Deed: \$20,000.00. Tax Assessed Value: \$30,000.00.

Tax Map Numbers: 48B-(6)-B14 & B15.

This instrument has been prepared by David M. Reed, Attorney at Law (VSB #86890)

The scrivener of this deed has not examined the title to the real estate herein conveyed Virginia Code §17.1-223: The existence of title insurance is unknown to the preparer.

The scrivener of this deed has not given any tax advice regarding this transfer and the parties have been advised to seek the counsel of their tax advisor prior to the execution of this deed.

DEED

THIS DEED, made and entered into this 26th day of August, 2020, by and between MARY A. MILLER, GRANTOR/PARTY OF THE FIRST PART; and JEFFREY A. CARDWELL, GRANTEE/PARTY OF THE SECOND PART, whose address is 351 Seclusion Ridge Road, Luray, Virginia 22835.

WITNESSETH:

That for and in consideration of the sum of TEN (\$10.00) DOLLARS, cash in hand paid to the Party of the First Part by the Party of the Second Part, and other good and valuable consideration, the receipt of which is hereby acknowledged, at and upon the signing, sealing and delivery of this instrument, the Party of the First Part does hereby bargain, grant, sell, and convey with General Warranty and English Covenants of title unto JEFFREY A. CARDWELL all those two (2) certain tracts or parcels of real estate with all improvements thereon and all rights, easements and appurtenances thereunto belonging, lying and being situate in the Luray Magisterial District, Page County, Virginia, bounded and described as Lots 14 and 15, Section B, of the Subdivision known as "Land of Luray", as more particularly shown on that certain survey plat

Reed & Reed, P.C., 16 South Court Street, Luray, Virginia 22835 (540) 743-5119 prepared by R.M. Bartenstein & Associates, Warrenton, Virginia, dated August 26, 1971, and recorded in the Clerk's Office of the Circuit Court of Page County, Virginia, ("Clerk's Office") in Plat Book Number 6, at page 41, et. seq., and being the same real estate which was conveyed to Joseph E. Foltz and Mary A. Miller, as joint tenants with right of survivorship by: (1) Richard A. Weber, et. ux., by deed dated the 21st day of November, 1996, and recorded in the Clerk's Office in Deed Book Number 552, at page 161, et. seq.; and (2) Roger J. Bolhouse, et. ux., by deed dated the 21st day of November, 1996, and recorded in the Clerk's Office in Deed Book 552 at Page 163, to which deed and plat references are hereby made.

Mary A. Miller became the sole owner of the herein conveyed real estate upon the death of Joseph E. Foltz, who died on or about June 5, 2016, pursuant to the survivorship clause contained in the aforesaid deeds.

This conveyance is made <u>SUBJECT</u> to all easements, conditions and restrictions of record, if any, insofar as they may lawfully affect the property, including but not limited to the restrictions and conditions on the declaration and plat of the subdivision known as "Land of Luray", and any and all amendments thereto..

The Party of the First Part covenants and agrees that she has a right to convey the real estate hereinabove described to the Grantee and that she will warrant generally the title thereto.

WITNESS the following signature and seal.

Page 3 of 3 of Deed Dated	August 26 COUNTY PERSON OF THE CLERK'S OFFICE OF
MARY A. MILLER	FAGE COUNTY CIRCUIT COURT ON SEPTEMBER 11, 2020 AT 11:44 AM \$30.00 GRANTOR TAX WAS PAID AS REQUIRED BY SEC 58.1-802 OF THE VA. CODE STATE: \$15.00 LOCAL: \$15.00 _(SEAL) C. G. MARKOWITZ: CLERK RECORDED BY: ABL
COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF	, TO-WIT:
The foregoing deed was acknowledge Suptervision, 2020, by MAI	
My commission expires $03 31 3621$	- Suite A. J.
My registration number is 157991	NOTARY PUBLIC PU
Roberta R. Lhis Notary Public	* REG. #15010N Y EXPIRES A SOLUTION AND AND AND AND AND AND AND AND AND AN

WHITTHING THE SCRIVENER OF THIS DEED HAS NOT GIVEN ANY TAX ADVICE REGARDING THIS TRANSFER AND THE PARTIES HAVE BEEN ADVISED TO SEEK THE COUNSEL OF THEIR TAX ADVISOR PRIOR TO EXECUTION THE SCRIVENER OF THIS DEED HAS NOT GIVEN ANY ADVICE CONCERNING GOVERNMENT BENEFIT PROGRAMS INCLUDING BUT NOT LIMITED TO MEDICAID REGARDING THIS TRANSFER. THE SCRIVENER OF THIS DEED HAS ONLY PREPARED THIS DOCUMENT AT THE REQUEST OF THE GRANTOR AND HAS NOT REPRESENTED ANY OF THE PARTIES HERETO IN ANY OTHER MATTERS RELATED TO THIS TRANSFER. THE SCRIVENER OF THIS DEED HAS NOT GIVEN ANY ADVICE CONCERNING THE APPLICABILITY OF ANY DUE ON SALE CLAUSE CONTAINED IN ANY MORTGAGE OR DEED OF TRUST OR THE ABILITY OF ANY NOTEHOLDER TO DEMAND PAYMENT IN FULL ON ANY NOTE AS THEY MAY RELATE TO THIS PROPERTY OR TRANSFER, IF APPLICABLE. THE SCRIVENER OF THIS DEED HAS NOT EXAMINED THE TITLE TO THE REAL ESTATE HEREIN CONVEYED. THE PREPARER OF THIS DOCUMENT HAS BEEN ENGAGED SOLELY FOR THE PURPOSE OF PREPARING THIS INSTRUMENT, HAS PREPARED THE INSTRUMENT ONLY FROM THE INFORMATION GIVEN AND HAS NOT BEEN REQUESTED TO PROVIDE, NOR HAS THE PREPARER PROVIDED A TITLE SEARCH, AN EXAMINATION OF THE LEGAL DESCRIPTION, AN OPINION ON TITLE OR ADVICE ON THE TAX, LEGAL OR NON-LEGAL CONSEQUENCES THAT MAY ARISE AS A RESULT OF THE CONVEYANCE, FURTHER SUCH PREPARER HAS NOT VERIFIED THE ACCURACY OF THE AMOUNT OF CONSIDERATION STATED TO HAVE BEEN PAID OR UPON WHICH ANY TAX MAY HAVE BEEN CALCULATED NOR HAS THE PREPARER VERIFIED THE LEGAL EXISTENCE OR AUTHORITY OF ANY PERSON WHO MAY HAVE EXECUTED THE DOCUMENT. PREPARER SHALL NOT BE LIABLE FOR ANY CONSEQUENCES ARISING FROM MODIFICATIONS TO THIS DOCUMENT NOT MADE OR APPROVED BY PREPARER.

> Reed & Reed, P.C., 16 South Court Street, Luray, Virginia 22835 (540) 743-5119

No 1424

800x 250 PAGE 317

THIS DEED OF DEDICATION, made this 31st day of August, 1971, by LAND OF LURAY, INC., a Virginia corporation (owner of the real estate hereinafter described), party of the first part, and ROBY G. JANNEY, TRUSTEE, party of the second part;

WITNESSETH:

WHEREAS, the party of the first part is the sole owner and proprietor of a certain tract of land containing 152.4999 acres, located in the Marksville Magisterial District, Page County, near Luray, Virginia, and more fully described in "Schedule A" attached hereto, being the same property conveyed to Land of Luray, Inc. by deed from Thomas R. Shirley, Jr. and Doris M. Shirley, his wife, Robert E. Shirley and Dorothy M. Shirley, his wife, and David L. Shirley and Margie L. Shirley, his wife; and by deed from David L. Shirley and Margie L. Shirley, his wife, less the property conveyed to David L. Shirley and Margie L. Shirley, all of said deeds dated August 24, 1971 and recorded August 27, 1971 in the Clerk's Office of the Circuit Court of Page County, Virginia;

WHEREAS, the party of the second part is one of the Trustees under a Purchase Money Deed of Trust made by Land of Luray, Inc. to Roby G. Janney and Robert S. Janney, both of Page County, Virginia, Trustees, either or both of whom may act, dated August 24, 1971 and recorded August 27, 1971 in the aforesaid Clerk's Office;

WHEREAS, the said party of the first part is desirous of subdividing said land into lots, said platting of the property described in "Schedule A," attached hereto, being within the free

Examined
10-29-71 &
delivered.to
Horottz, Baer
& Neblett,
Attys.
3339 West Carr
Street
Richmond, Va.
By Mail

Plate ssanded in Plat Brok H. 6 Page 41- 50 Gesterder 1, 1991 Vati James d. Campeliell, Chiek.

800x 250 PAGE 318

consent and in accordance with the desire of the undersigned owner, proprietor and Trustee;

WHEREAS, the party of the first part desires said subdivision to be known as "LAND OF LURAY";

NOW, THEREFORE, in consideration of the premises, the party of the first part, being, as aforesaid, the sole owner and proprietor of the land herein described, does hereby subdivide the said land into designated lots in accordance with the plat of R. M. Bartenstein and Associates, dated August 26, 1971 and to be recorded simultaneously with this deed in the Plat Book in the Clerk's Office of the Circuit Court of Page County, Virginia, and specifically made a part of this Deed of Dedication, and to which plat reference is hereby made for a more particular description; said subdivision to be known as "LAND OF LURAY."

This dedication is made in accordance with the statutes of Virginia governing the subdividing and platting of land.

The party of the second part joins in this Deed of .Dedication for the sole purpose of indicating that said platting and dedication of the land described in the attached "Schedule A" is with his free consent and in accordance with his desire, and that this document shall in no way affect the lien of any deed of trust on any of the said land.

It is understood and agreed that the aforesaid land is owned and to be conveyed subject to the following Schedule of Protective Deed Covenants, which are to be construed as covenants running with the land:

BOOK 250 PAGE 319

LAND OF LURAY

SCHEDULE OF PROTECTIVE DEED COVENANTS

The following deed covenants are designed to protect property owners, to assure continued property values and appreciation, and to enable purchasers to feel secure that the unique character and quality of the subdivision shall remain or be enhanced.

1. <u>DEFINITIONS</u>: Where used in this Schedule, the following terms shall be given these definitions:

<u>Plat</u>: Plat of Subdivision, dated August 26, 1971, made by R. M. Bartenstein & Associates, Warrenton, Virginia.

Developer: Land of Luray, Inc., its successors or assigns.

Temporary structure shall include trailer, mobile home, tent, improvised cabin, removeable shack and hut.

- 2. <u>PURPOSE OF SUBDIVISION</u>: This subdivision is developed for the private recreational use of the property owners, and no commercial enterprise of any kind shall be maintained upon or in connection, even remotely, with any lot in the subdivision, nor shall any lot be used for other than strictly recreational purposes. The erection of directional and informational signs and business facilities of the Developer are exempt and not prohibited by this paragraph.
- 3. ANNUAL CHARGE: Each lot shall be subject to an annual charge of \$30.00 (The Base Charge), which shall become a lien against the property, commencing as of January 1, 1971 (1971 hereby designated as the Base Year). The Base Charge may be decreased or increased annually as of the first of each year subsequent to 1971; provided, however, in the event of an increase, an addition to the Base Charge may not be in excess of \$1.00 per year for each year subsequent to the Base Year. An adjustment may be made by the Developer where lots are combined into one tract. Such charges shall be payable to the Developer, and shall be used for the maintenance of the roads, recreation areas and for such other public purposes as the Developer may determine. The charge referred to herein shall not apply to any lot while owned by the Developer, his successors or assigns.
- 4. <u>DURATION</u>: These covenants shall continue in force perpetually, and shall run with the land.
- 5. BUILDING EXTERIORS: The exteriors of all buildings, including residence, utility and outbuildings, shall be of brick or brick veneer, wood or wood veneer, or stone or stone veneer only. Where wood or wood veneer exterior is used, it shall only be laquered, stained or varnished.
- 6. RESIDENCE BUILDING: MINIMUM AREA: There shall not be erected on any building lot a residence having less than 500 square feet of ground floor space.
- 7. PLACEMENT OF TEMPORARY STRUCTURES FOR EXTENDED PERIODS OF TIME: No temporary structure, as herein defined, which is erected or placed upon any lot, shall remain upon the premises for a period in excess of 30 days, except with the written approval of the Developer. In giving its approval, the Developer shall be guided by the condition, appearance, size and quality of such temporary structure, and shall not approve any such temporary structure that does not substantially conform to the type and quality of structures in the surrounding area.

800x 250 PAGE 320

- 8. BUILDING SET BACK LINE: No building of any kind, including temporary structures, shall be erected on any lot closer than 25 feet to the shoulder of the roadway or right of way upon which it abuts.
- 9. OWNERSHIP AND USAGE OF SUBDIVISION FACILITIES: All facilities marked on the plat with diagonal lines become the property of the lot owners, including contract purchasers, with equal undivided interest therein. However, the Developer retains the exclusive right to maintain such facilities. Each lot owner shall have full use of the recreational facilities, for himself, his family and guests.
- 10. SUBDIVIDING OF LOTS: No lot may be subdivided except with the written consent of the Developer.
- 11. EASEMENT FOR UTILITIES: The Developer reserves exclusively unto itself, its heirs or assigns, the right to erect and maintain electric and telephone poles or facilities, conduits, equipment, sewer, gas or water lines along existing roadways and rights of way, or to grant easements or rights of way therefor, with the right of ingress and egress for the purpose of erection or maintenance on, over or under a strip of land 15 feet wide at any point along the side, rear or front lines of any lots or tracts upon said property.
- 12. NUMBER OF RESIDENCES PER BUILDING LOT: Only one residence shall be constructed on a lot less than one acre in size, unless written permission to do otherwise is first obtained from the Developer.
- 13. APPROVAL OF DISPOSAL AND DRAINAGE FACILITIES: All drainage fields, septic tanks and cesspools must be approved by the Virginia State Health Department.
- 14. RESERVATION OF RIGHTS: Notwithstanding anything herein to the contrary, the Developer shall have the right to alter, amend or add to these covenants for the purpose of protecting the health and welfare of the property owners, or approve any deviation, alteration or exception for any lot owner, where such deviation would be in the best interest of the subdivision, in the discretion of the Developer.
- 15. SCOPE: All sales, leases, contracts and other agreements made with reference to this subdivision, or lots thereof, shall be made subject to these covenants.
- 16. INVALIDATION: Invalidation of any one of these restrictions for any reason shall not thereby invalidate any other restriction contained herein.

800x 250 PAGE 321

CONTRACTOR SEALON

3

WITNESS the following signatures and seals:

LAND OF LURAY, INC.

By January 2 Hocht Jerrold L. Hecht, President

Sigmund A. Gershman, Secretary

Roby G. Janney, Trustee (SEAL)

STATE OF VIRGINIA CITY OF RICHMOND, to-wit:

I, Juanita T. Smith, a Notary Public in and for the City aforesaid, in the State of Virginia, hereby certify that JERROLD I. HECHT, President, and SIGMUND A. GERSHMAN, Secretary, of LAND OF LURAY, INC., whose names are signed to the foregoing Deed of Dedication, bearing date on the 31st day of August, 1971, have personally appeared before me and acknowledged the same in my City and State aforesaid.

Given under my hand this 31st day of August, 1971. My commission expires: August 26, 1975.

> Juanita T. Smith Notary Public

STATE OF VIRGINIA COUNTY OF PAGE, to-wit:

I, the undersigned Notary Public in and for the County of Page, in the State of Virginia, hereby certify that ROBY G.

JANNEY, as TRUSTEE, whose name is signed to the foregoing Deed of Dedication bearing date on the 31st day of August, 1971, has personally appeared before me and acknowledged the same in my County and State aforesaid.

Given under my hand this // day of September, 1971. 'My commission expires:

Notary Public

VIRCINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF PAGE COU TY. THIS IN TRUMENT, WITH THE C'RTHICATE OF ACINO VIE "ME TITHERETO ANNEXED IS ADMITTED TO CR. AT 1:30 DIEDER M. S. D. D. D. D. THE STALL TAX 1 F & IAX - SEC. SE - 5 . 1 ?

TESTE, James & Campball A.

1.51 ..

PERMIT NUMBER: 0000683 - 2021

Luray

VA 22835

USBC: 2015

INSPECTION DATE: 8/27/2021

INSPECTION TIME:

						INOL	BOTTON TIME.
BUILD	ELECT	INLIEU	PLUMB	REVIEW			
OWNER NAME/AD	DRESS		SITE ADD	RESS		CONTRACTOR NAME	2/ADRESS
CARDWELL JEFF	REY A					Contractor Not	Defined
PO BOX 31				PARK VIEW	RD		
LURAY VA 2283	5		LURAY VA	22835			
PHONE: 54024	49536					PHONE: 000 000	0000
RE ACCOUNT#:	7025		DESCRIPT	ON OF CONS	TRUCTION LOCAT	'ION	
TAX MAP NO.:		B14	SECT		BLOCK:	LOT:	BLDG NO.:
SET-BACKS:			TY CO/INQ#		/	DISTRICT:	
FRONT:	BACK:	FLOOD	PLAIN: N	HEALTH	PERMIT#:	SUB-DIVISIO	ON: LAND OF LURAY
RIGHT:	LEFT:	AREA:				ZONE: Resi	idential
CNTR :	FRTGE:	RIGHT	-OF-WAY:	GREEN	CARD:	S/E CUP NO.	.: SITE PLAN:
DIRECTION	S TO SITE:				N MEÄDOWVIEW I ON LEFT, NEXT		
NATURE OF	WORK:	NEW SINGLE	-WIDE MOBI	LE HOME, 8X	14 S DECK		
USE GROUP: CONST. TYPE:	RESIDENTIA	L - NEW		SQ FEET	: MOBILE HOME	s	78457954.00-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0
ISS.DATE:		CWAL DATE:		ZONING		CONTRACTOR: Owner	r Contracted
RESIDENTIL		COMMERC	IAL		NEW HOME	1	ADDITION
PORCH (ES)		ACCESSO	RY		ACCESS ADD	I	DECK(S)
NEW TOWER	•	TOWER C	OLL		SIGN		
						PROP USE	
NOTE			NOTE			NOTE	
NOTE			NOTE				
OTES TO INSPEC							
Zoning - Insp SCHEDULED INS PASS:	PECTOR:	alts:	RESCHE			ORE THE INSPECTION	EINSPECTION FEE. THIS FEE CAN BE RESCHEDULED. E:
Need	SUF L- pic	bid u	pule	to Mil		JS + Mr.	Cardwell.
INSPECTOR SIG	NATURE:	du T	Mu.	MA			

PAGE C	YTNUO	ZONING	PERMIT	APPLIC.	<u>ATION</u>
			•		
The applicant is the: MOwner	□Lesse	е ПАпе	ent for Own	er/Lessee	

1)	I ne applicant is the: Dessee Lagent for Owner/Lessee		
	Owner Lessee (if applicable)		
	Name: Jeffrey A Cardwell Name:		
	Mailing Address: アーン Bok 3~ Mailing Address:		
	LVROY Va 12835 Phone Number: 540-244-9536 Phone Number:		
	Phone Number: 540-244 - 9534 Phone Number:		
	Email (Optional): Cabin Man 1959 o gmail Email (Optional):		
	Times (optional)		
•	Site Address of Construction: 48 B-6-B14 600000 Particle Rd. Luray (B)		
3)	Please provide detailed directions to the site: Rt 211 Towards New Markel to Rt 615 longs Rd. Ron Medow by View R ON Farkview 14 mile on 10ft		
4)	Tax Map Number (Office staff can provide): 9813-6-814 000		
5)	Size of Property: 1 - 8 + -		
6)	Is property located in a subdivision? 图Yes □No If yes, which one: / ないめ のよ / リズムタ		
7)	Is property located in the floodplain? □Yes □No ⑤		
8)	Is this application the result of receiving a violation notice? ☐Yes ☐ No ⑥		
9)	Water and sewage source for the property: ☑ Private Well ☑ Private Septic □ Public Water □ Public Sewer □ None		
•	Is a new entrance being created off of a state maintained road? ✓ Yes □ No		
11)	1) Current use of property (Ex: Vacant, Residence, Farming, etc.): V ひ に いい ナ / ら force かんし		
12)	List existing structures that are currently on the property: 2 5 ton are building 1 Tranler		
13)	Proposed Structure (Ex: New Home, Addition, Porch, Deck, Accessory Building, etc.):		
14)	The proposed structure will be used for the following: Residence, Storage of Hay, Household Storage, etc.		
15)	Will the proposed structure or property be used for any type of business? Business uses may include, but is not limited to: cabin rental(s), farming operation, home occupation, virtual business, etc.? Yes No If yes, please describe of business:		

16) Dimensions of Proposed Structure: 13'8" X 48 (KB
17) Height of Proposed Structure: feet 🚱	
18) The property is Zoned (Office staff can provide): □ Agriculture (A-1) □ Woodland-Conservation (W-Commercial (C-1) □ Industrial (I-1)	C) XResidential (R) □ Park-Recreation (P-R)
19) Refer to the Page County Setback Requirements (attached) a for the property.	nd fill in the required and proposed setbacks
REQUIRED minimum setbacks:	PROPOSED minimum setbacks:
Front: 35 feet	Front: 35+feet
Rear: 50 feet	Rear: 50+ feet
Left Side: 15 feet	Left Side: 15+ feet
Right Side: 15 feet	Right Side: 15+ feet
20) Distance to closest building:	
instruction sheet? (NOTE: As stated on the instruction sheet, if the property is a inspection, a second trip fee, equal to the fee amount for the Yes	initial application will be charged). ly for inspection: rmation is correct and true. I (we) further Board of Supervisors and/or Zoning
Signature of Owner (if applicable)	
Signature of Owner (if applicable)	Date
Signature of Lessee (if applicable)	Date
Signature of Agent for Owner/Lessee (if applicable- see belo If agent for owner, please provide the following information Mailing address of agent for owner: Phone Number of agent for owner:	on:
	y that the proposed structure is not under ibility as the owner or applicant and any have questions or are uncertain of

If you do not have a recorded survey plat of the property, draw a site plan below. The following items shall be included on the site plan: Roads/ Right-of-Ways/ Driveways/ Easements Existing structures currently on the property Proposed structure INCLUDING square footage from all property lines, existing structures, AND any right-of-ways/ driveways/easements/roads. see attached

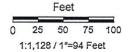
Date Application Received: 2121 Permit Nur Date Paid: 2121 XCheck #: Comments:	OFFICE USE ONLY: ber: Staff initials: ☑ Cas □Debit Card □Credit Card □Cas	Application Fee: ACC.CO

Page County, Virginia

Legend

- 9-1-1 Addresses
- US Highways
- Roads
- → Railroads
- Other Counties
- Parcels
- FEMA Flood Zones
- 500-Year Flood
- ☑ 100-Year Flood
- Shenandoah River
- Streams





Title: Date: 8/27/2021

DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is bes obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."



COUNTY OF PAGE

103 South Court Street, Suite F Luray, Virginia 22835 (540) 743-4142 Fax: (540) 743-4533

Board of Supervisors:

Morgan Phenix - Chairman - At-Large D. Keith Guzy, Jr. - District I Allen Louderback - District 2 Mark Stroupe - District 3 Larry Foltz - District 4 Jeff Vaughan - District 5

County Administrator:

Amity Moler

TO: Page County Planning Commission

FROM: Tracy Clatterbuck, Zoning Administrator

SUBJECT: Johnathan Martinez- Special Use Permit Application (Introduction)

DATE: December 7, 2021

SUMMARY:

Application for a special use permit to operate a campground.

BACKGROUND:

Johnathan Martinez has filed a special use permit application to operate a campground located on Kite Hollow Road, Stanley, VA, and further identified by tax map number 82-A-9. The property is zoned as Agriculture (A-1) and contains 47.039 acres. The property is currently vacant. Pursuant to § 125-10 D.(9) of the Page County Zoning Ordinance, campgrounds are only permitted by special use permit in the Agriculture (A-1) zoning district.

According to the applicant, phase one will consist of 10 geodesic primitive structures. Each dome will range between 20-30 feet in diameter. Each dome will sleep a max of four people. The campground will have two common bathhouses shared by the units. They plan to hire one full-time employee to operate the campground. The applicant plans to offer lodging every day of the year. No RV's will be allowed onsite.

Staff strongly urges the commission and board to carefully consider any proposed conditions that are attached to the SUP.

AGENCY COMMENTS:

The applicant has reached out to the following agencies for comment:

<u>Virginia Department of Transportation (VDOT)</u> – Per James Craun, there is currently no existing entrance. He has marked an entrance location that meets VDOT's minimum sight requirements.

The proposed location along with any site plans/entrance design will require further VDOT review before the issuance of the permit for the entrance.

<u>Page County Health Department</u>- Per Jennifer Jurell, if the SUP is approved, an engineered designed septic plan for this proposal will be required as well as approval from the Virginia Department of Health Office of Drinking Water for a potable water source. Also, a VDH Campground Permit will be required for this proposal before operating.

<u>Page County Building Official</u>- Per James Campbell, he has no objections to the special use. The applicant will be required to obtain proper information on structures and permits will be required.

PAGE COUNTY COMPREHENSIVE PLAN:

The Page County Comprehensive Plan, Volume I, Goal 6 states:

Policy 6.2: "Encourage economic growth that is compatible with the County's rural character while

generating a positive net cash flow for the County".

Policy 6.6: "Promote local employment opportunities."

Policy 6.12: "Enhance the County's tourism and retail base."

FISCAL IMPACT:

Refer to Nina Long Fox, Page County Economic Development & Tourism Director.

MOTION(S):

I move that the Page County Planning Commission hold a public hearing on this special use permit application for tax map number 82-A-9 at the January 11, 2022 Regular Meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia 15.2-2204.

OR

I move an alternative motion.

ATTACHMENTS:

• Special Use Permit Application and Maps

EXECUTIVE SUMMARY FOR MARIPOSA RESORT SPECIAL USE PERMIT APPLICATION

Robert Abasolo and Johathan Martinez plan to develop and operate Mariposa Resort—a glamping retreat located at Kite Hollow Drive, Stanley, Virgina, located on Tax Map 82-A-9.

Mariposa Resort is physically located and borders on the north side of Highway 611 south of Angel Ln. The total site contains 47 acres and is zoned agricultural.

The glamping retreat will be classified as an official campground as per the Page county code. Phase 1 will consist of ten geodesic structures, under the primitive classification. Each dome will range between 20–30 feet in diameter and will sit even dispersed on the referenced agriculturally zoned parcel.

The campground plans to hire one full-time employee to live on the premises and manage the property. We anticipate that the site will run at a 90% occupancy in the peak season and 65% occupancy in the slower, winter months.

Mariposa retreat will have two common bathhouses shared by the ten initial units. Drain fields have been identified for the septic, as well as back-up drain fields in case an expansion is called for.

The campground is accessed by Highway 611 (Kite Hollow) and has obtained approval from VDOT for a commercial entrance.

The purpose of this development is to simultaneously create a unique experience for travelers to disconnect from the pressures of urban life and boost tourism in the greater Shenandoah area. We want to respect Mother Nature and not disturb the natural environment, in an effort to preserve the natural topographic landscape that has made Shenandoah one of the most beautiful areas in the country.

We will offer lodging every day of the year at each unit. Most units will sleep a maximum of 4 people. We will not allow guests to use RVs.

The site will operate year-round, and guests will be able to check in from 4pm-midnight. Quiet hours will be in effect from 10pm – 8am.

We will have fire pits constructed at each unit according to safety standards, so that guests can have a campfire. There are no other planned activities for guests.

Food will not be offered to guests; they will have to bring their own. Water will be provided in large tanks assigned to each unit or via the proposed bathhouses.

We will have a dumpster onsite to handle trash. It will have a lock on it to ensure it stays closed. Lighting will be kept to a minimum to preserve the view of the night sky. Most light will come

from small solar lamps in the ground around our units which emit only a small amount of light.

Our landscaping will also be minimal so that guests can experience the natural environment. We plan to landscape around the parking area so that spaces and roads are clearly marked.

We strive to keep noise at a minimum. We don't allow parties. We are planning to have a fence put up along the neighbor's property line to help reduce noise levels. We may construct other fences between units to increase privacy and reduce noise if that is necessary. We will not be using generators.

COUNTY OF PAGE SPECIAL USE PERMIT APPLICATION

DATE RECEIVED: /202\ DENSITY RANGE:				
AMOUNT PAID:	RECEIPT #:			

2. OWNER/MAILING ADDRESS	OCCUPANT (If other than owner)			
Name: Johnathan Martinez	Name:			
Address: 336 North Orange Drive	Address:			
Los Angeles, CA 90036				
Phone Number: 714-348-4626	Phone Number:			
3. Site Address: (82-A-9) Kite Hollow Road, St				
4. Directions to property:				
5. Property size: 47 Acres				
6. Tax Map Number: 82-A-9 Magisterial District: Markeyille (TW)				
7. Current use of the property: Vacant land				
8. Description of proposed use: Campground				
Size of building(s), if any:				
9. Present Zoning: A-1 (Agriculture C-1 (Commerce W-C (Woodland	e)R (Residential) cial)I (Industrial) nd Conservation)			
10. Applicants' additional comments, if any:				

met. Please refer to the attached "Power of Attorney spokesperson, who is not the property owner, represe	on, the Board of Supervisors may require that I (we) I shall not be considered valid until these conditions are "form for those applicants that desire to have a
Signature of Owner:	
Signature of Applicant:	
********	* * * * * * * * * * * * * * * * * * * *
COMMENTS BY PLANNING AND CO	OMMUNITY DEVELOPMENT OFFICE:
	1-Apr
ZONING ADMINISTRATOR	DATE

Submit names and complete mailing addresses of ALL adjoining property owners, including property owners across any road or right-of-way (Continue on separate sheet if needed).

Note: Names and address of property owners may be found in the Real Estate and Land Use Office at the Commissioner of Revenue's Office.

NAME	ADDRESS
Eugene Dykes & Mary Ellen Zukas	835 Kite Hollow Rd, Stanley, VA
James & Ann Grimley	911 Kite Hollow Rd, Stanley, VA
Drew Buckley & Mary F & Sharp Douglas	1622 Balkamore Hill Rd, Stanley, VA
William J Richards & Tammy Ramey	82-A-8
Emmett & Leola Brooks	712 Kite Hollow Rd, Stanley, VA
James & Ann Grimley	82-A-27B
ADJOINING PROPERTY OWNER VERFIC	ATION:
AS APPLICANT FOR THIS SPECIAL USE PE	RMIT REQUEST,
լ Johnathan Martinez	(Name)
HEREBY ACKNOWLEDGE THAT I HAVE FA	······································
NAMES AND COMPLETE MAILING ADDRE	SSES OF ALL MY ADJOINING PROPERTY
OWNERS AND THOSE DIRECTLY ACROSS	
	E ALL ADJOINING PROPERTY OWNERS WILL
	TS FOR RE-ADVERTISEMENT AND NOTICES
	BE DELAYED UNTIL PROPER NOTIFICATION
HAS BEEN GIVEN TO ALL ADJOINING PRO	
OWNERS ACROSS THE ROAD OR RIGHT-OF	
OWNERS NOROSS THE ROAD OR RIGHT-OF	- WAI.
	$\bigcap A$
10/29/21	W C
DATE	NATURE OF APPLICANT

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW **BEFORE SUBMITTING THIS APPLICATION** TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY

3536 NORTH VALLEY PIKE HARRISONBURG, VIRGINIA 22802 (540) 434-2587 See attached (Ti DATE VDOT OFFICIAL PAGE COUNTY HEALTH DEPARTMENT 75 COURT LANE LURAY, VIRGINIA 22835 (540) 743-6528 See altached DATE HEALTH OFFICIAL PAGE COUNTY BUILDING OFFICIAL 103 S COURT STREET, SUITE B LURAY, VIRGINIA 22835 (540) 743-6674 to the special use. Will word proper permits SUBDIVISION PROPERTY OWNERS ASSOCIATION DATE PRESIDENT OR SECRETARY

Tracy Clatterbuck

From:

Craun, James <james.craun@vdot.virginia.gov>

Sent:

Monday, October 18, 2021 2:55 PM

To:

Tracy Clatterbuck

Subject:

Special Use Permit -Martinez- Kite Hollow Rd

Attachments:

611 Jon Martinez - Kite Hollow Rd- 82-A-9.pdf

[NOTICE: DO NOT CLICK on links or open attachments unless you are sure the content is safe. No email should ever ask you for your username or password.]

Tracy

Entrance "location" I marked in the field is approved for minimum sight distance requirements.

James Craun
VDOT Permits & Subdivision Specialist
Staunton District
Office - 540-434-2587

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW BEFORE SUBMITTING THIS APPLICATION TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY 3536 NORTH VALLEY PIKE HARRISONBURG, VIRGINIA 22802 (540) 434-2587

See attached	Memorandum
<u>/o~/を~ユ/</u> DATE	VDOT OFFICIAL
DA CE COLDINALIUS AL TILL DED	******
PAGE COUNTY HEALTH DEPA 75 COURT LANE	AKIMENI
LURAY, VIRGINIA 22835	
(540) 743-6528	
DATE	HEALTH OFFICIAL
	* * * * * * * * * *
PAGE COUNTY BUILDING OF 103 S COURT STREET, SUITE E LURAY, VIRGINIA 22835 (540) 743-6674	
DATE	BUILDING OFFICIAL
	* * * * * * * * *
SUBDIVISION PROPERTY OW	
DATE	PRESIDENT OR SECRETARY



HARRISONBURG RESIDENCY LAND USE MEMORANDUM

DATE: October 18, 2021

TO: Tracey Clatterbuck, Page County Zoning Administrator

FROM: James Craun, Permit & Subdivision Specialist

RE: Jonathan Martinez – Special Use

Tracey,

VDOT has reviewed the following Special Use Permit application and comments have been provided as noted:

Applicant: Jonathan Martinez Landowner: Same

Site Address: Lot 82-A-9 / No assigned address Tax Map#: 82-A-9 Ph: 714-348-4626

Request:

Applicant is proposing to install a new campground.

VDOT Site Specific Comments:

This property has no existing entrance off of Kite Hollow Rd, SR 611. I have maked an entrance location that meets Vdot minimum sight requirements. This proposed location along with any site plans/entrance design would require further Vdot review before issue of permit for entrance.

VDOT General Comments:

Should the safety, use, or maintenance level of any existing or proposed entrance to a VDOT maintained highway change in the future, VDOT reserves the right to require additional modifications as warranted by the site specific conditions.

If any work is required on VDOT right-of-way, a VDOT Land Use Permit is required. The permit is issued through the Harrisonburg Residency office.

Please feel free to contact me if you have any questions or comments.

Sincerely,

James Craun | VDOT Permit & Subdivision Specialist

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW BEFORE SUBMITTING THIS APPLICATION TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY 3536 NORTH VALLEY PIKE HARRISONBURG, VIRGINIA 22802 (540) 434-2587 DATE VDOT OFFICIAL PAGE COUNTY HEALTH DEPARTMENT 75 COURT LANE LURAY, VIRGINIA 22835 (540) 743-6528 attached comments. PAGE COUNTY BUILDING OFFICIAL 103 S COURT STREET, SUITE B LURAY, VIRGINIA 22835 (540) 743-6674 DATE **BUILDING OFFICIAL** ****** SUBDIVISION PROPERTY OWNERS ASSOCIATION

PRESIDENT OR SECRETARY

DATE



Lord Fairfax Health District

Page County Health Department
75 COURT LANE
LURAY, VIRGINIA 22835
(540) 743-6528 ~ FAX (540) 743-3811

www.vdh.virginia.gov



October 28, 2021

Page County Planning and Community Development Department 103 South Court Street, Suite B Luray, VA 22835

RE: Page County Health Department Comments for Special Use Permit Application for Tax Map # 82-A-9

In regards to the Special Use Permit request for a campground to be located on Tax Map #82-A-9, if the Special Use Permit is approved, an engineered designed septic plan for this proposal will be required as well as approval from the Virginia Department of Health Office of Drinking Water for a potable water source. Also, a VDH Campground Permit will be required for this proposal before operating. If there are any additional questions or concerns regarding the proposal please have them contact me at 540-743-6528.

Thank you.

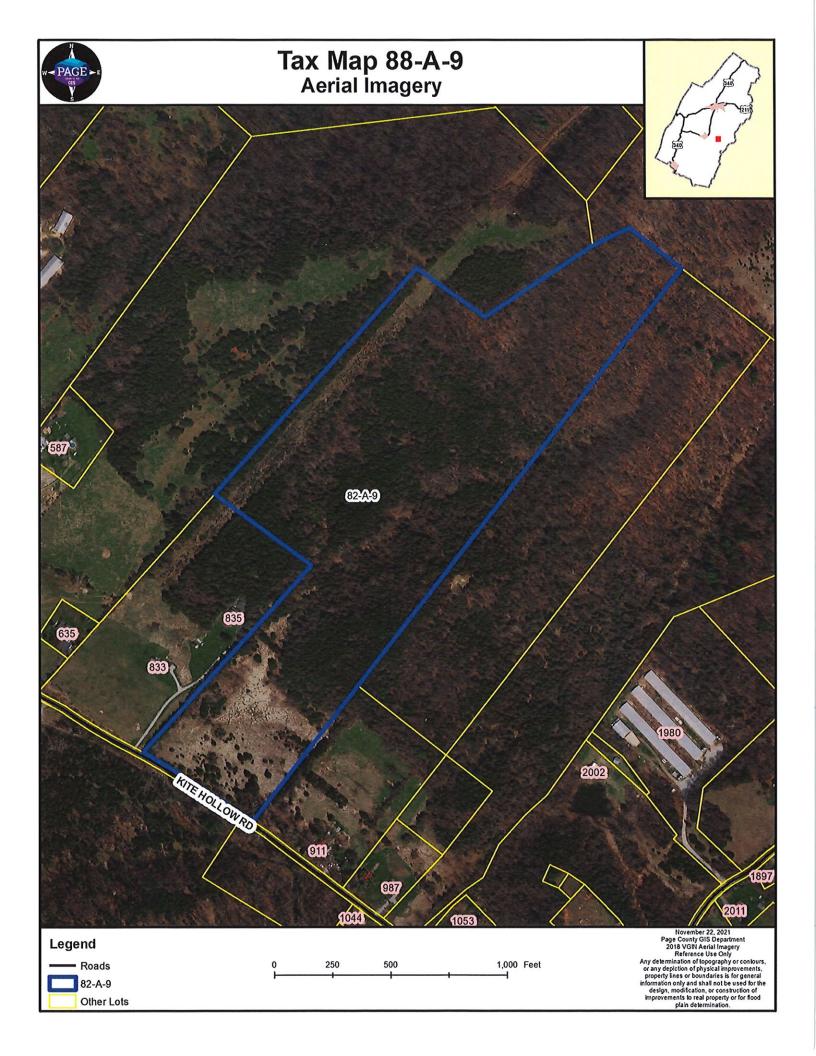
Jennifer Jurell

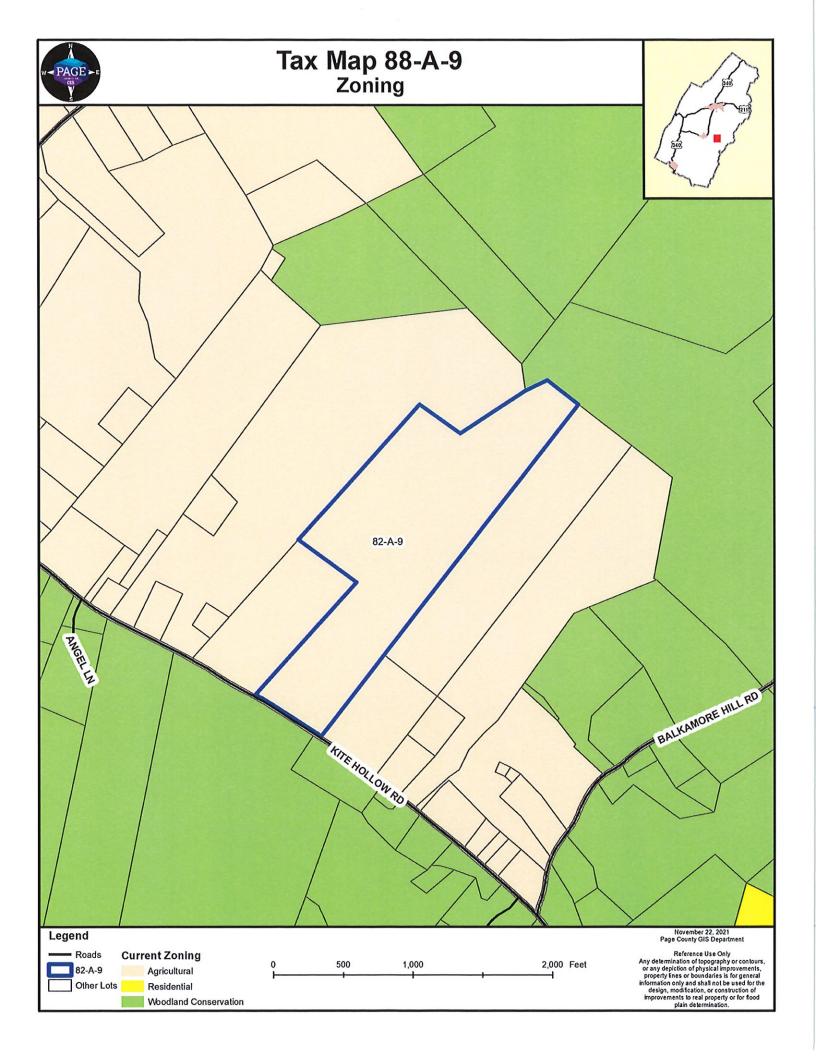
Environmental Health Specialist Senior

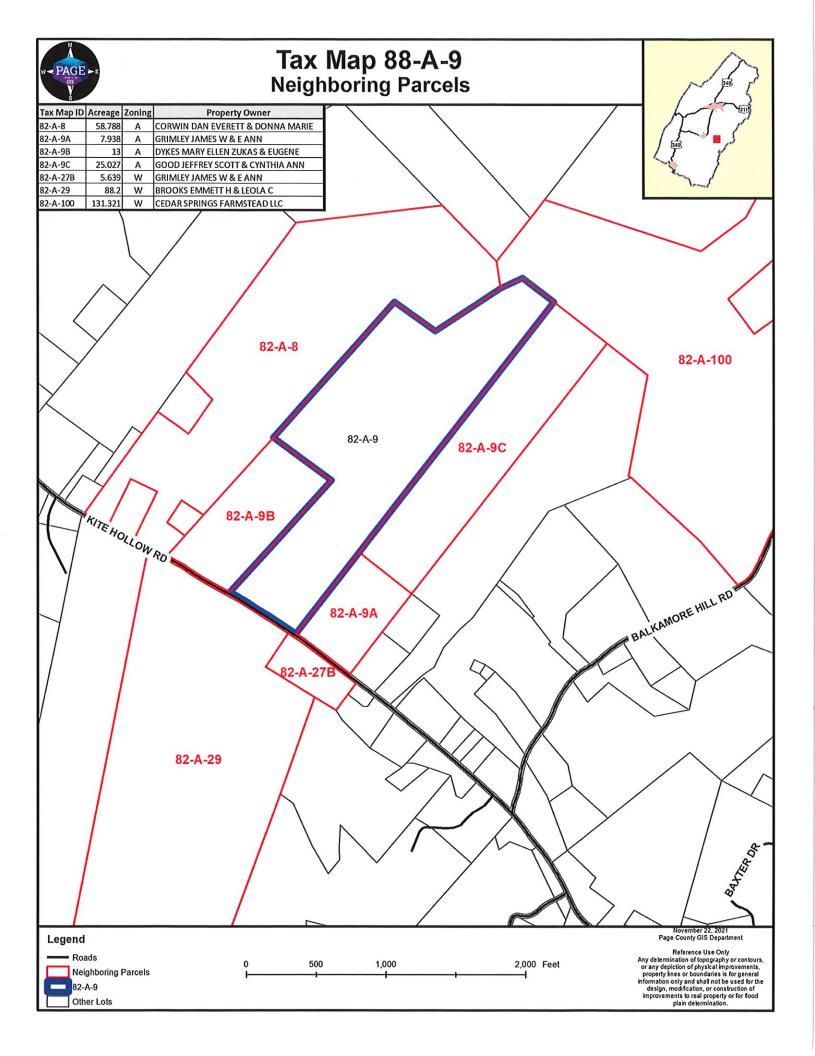
Page County Health Department

pc:

file

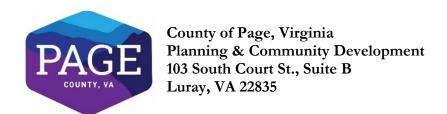






Tax Map ID	Acreage	Zoning	Property Owner	Physical Address	Mailing Address	M City	M State	M Zip
82-A-8	58.788	Α	CORWIN DAN EVERETT & DONNA MARIE		26 WEST OLD BARN RD	LURAY	VA	22835
82-A-9A	7.938	А	GRIMLEY JAMES W & E ANN	911 KITE HOLLOW RD	911 KITE HOLLOW RD	STANLEY	VA	22851
82-A-9B	13	Α	DYKES MARY ELLEN ZUKAS & EUGENE	835 KITE HOLLOW RD	835 KITE HOLLOW RD	STANLEY	VA	22851
82-A-9C	25.027	А	GOOD JEFFREY SCOTT & CYNTHIA ANN		274 OLD STANLEY RD	STANLEY	VA	22851
82-A-27B	5.639	W	GRIMLEY JAMES W & E ANN		911 KITE HOLLOW RD	STANLEY	VA	22851
82-A-29	88.2	W	BROOKS EMMETT H & LEOLA C	712 KITE HOLLOW RD	PO BOX 370	STANLEY	VA	22851
82-A-100	131.321	W	CEDAR SPRINGS FARMSTEAD LLC	1622 BALKAMORE HILL RD	5637 INVERCHAPEL RD	SPRINGFIELD	VA	22151





Planning Commission Meeting Schedule 2022

All meetings are held at 7:00 p.m. in the Board of Supervisors Meeting Room, located in the County Government Center, 103 S Court Street, 2nd Floor, Luray, VA, unless otherwise posted on the county website at www.pagecounty.virginia.gov.

Regular Meetings:	Work Sessions:
January 11	January 25
February 8	February 22
March 8	March 22
April 12	April 26
May 10	May 24
June 14	June 28
July 12	July 26
August 9	August 23
September 13	September 27
October 11	October 25
November 8	November 22
December 13	

Staff Comments:

- November 8 is Election Day. Staff recommends the meeting be moved to Wednesday, November 9.
- We typically do not have the work session in December. If you choose to, the date would be December 27.

MINUTES PAGE COUNTY PLANNING COMMISSION November 23, 2021

Members Present

Catherine Grech, District 1
Steve Atkins, District 2
Keith Weakley, Vice Chairman, District 3
William Turner, Secretary, District 5

Donnie Middleton, District 2 Jared Burner, Chairman, District 3 Isaac Smelser, District 4

Members Absent

None

Staff Present

Kelly Butler

Josh Hahn

Call to Order

Chairman Burner called the November 23, 2021 Page County Planning Commission Work Session to order in the Board of Supervisors Room located at the Page County Government Center, 103 S Court Street, Luray, Virginia at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*. Chairman Burner reminded all commissioners and speakers to please turn on and/or speak into the microphones. The meeting was live streamed via YouTube. Ms. Butler conducted an attendance roll call. All members were present.

Adoption of Agenda

Mr. Middleton made a motion to adopt the agenda as presented. Ms. Grech seconded the motion. The motion passed unanimously 7-0.

New Business

A. Jeffrey Caldwell – Special Use Permit Application

Ms. Butler gave the following staff report:

Jeffrey A. Cardwell has filed an application for a special use permit to place a manufactured home in the Land of Luray Subdivision located on Park View Drive, Luray, VA, and further identified by tax map number 48B-6-B14. The density range in the area is Medium-High. The applicant is proposing to put a 13'8"x48' singlewide on the lot. The property is currently improved with storage buildings.

Pursuant to § 125-11 D.(3) of the Page County Zoning Ordinance, a manufactured home in a subdivision is only permitted by a special use permit. Section 125-29 of the Page County Zoning Ordinance, states the county shall consider the following criteria upon application for a special use permit:

- A. The existence of any restrictive covenants prohibiting the location of manufactured homes in the subdivision, and if any such covenant exists at the time of application for the special use permit, then such application shall be denied.
- B. The number of manufactured homes existing in the subdivision for which application is being made.
- C. Consent of adjoining landowners.
- D. The position of other landowners in the subdivision, including any position taken by the property owners association of the subdivision
- E. Other criteria which may assure the enforcement of any other provisions of this section and the intent of this section.

A copy of the covenants that were provided by the applicant are included in the application packet. There are lots in the subdivision that currently have manufactured homes on them as well. Once a public hearing is scheduled, adjoining landowners will be notified as required by the Code of Virginia.

Other agency comments are as follows: Virginia Department of Transportation (VDOT) – Per James Craun, there are no objections to the request. Health Department - Per Todd Lam, there are no objections to the request. A one-bedroom sewage system construction permit has been issued. Building Official-Per James Campbell, there are no objections to the request. Subdivision Property Owners Association-Per the President or Secretary of the association, there are no concerns at this time.

Regarding the Page County Comprehensive Plan, Volume 1, Chapter 3, Policy 8.1 states, "Encourage and support initiatives that upgrade the quality of life and standard of living for residents, including adequate and affordable housing." Also, policy 8.3 states, "Encourage adequate affordable housing opportunities for low- to moderate-income residents of Page County and to those working and desiring to live in Page County."

There will be no fiscal impact.

Staff recommends that the Page County Planning Commission hold a public hearing on this special use permit application for tax map number 48B-6-B14 at the December 14, 2021 Regular Meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia 15.2-2204.

Ms. Grech asked if the SUP fee for this type of application is the same as the SUP fee for a campground or a solar farm. Ms. Butler confirmed.

Mr. Weakley made a motion for the Page County Planning Commission to hold a public hearing on this special use permit application for tax map number 48B-6-B14 at the December 14, 2021 Regular Meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia 15.2-2204. Mt. Atkins seconded the motion. The motion passed unanimously, 7-0.

B. Adoption of Minutes – October 26, 2021 and November 9, 2021

Mr. Weakley noted on the signature line on the October 26, 2021 minutes his position should read Vice Chairman. Ms. Butler noted the change. Mr. Smelser made a motion to approve the minutes as amended. Mr. Weakley seconded the motion. The motion passed unanimously, 7-0.

Unfinished Business

A. Cape Solar, LLC – Special Use Permit Application

Mr. Burner stated everyone received a memo from legal regarding the previous question concerning Page County Code Section 125-30.1. Does this code section apply only to facilities that transmit electricity and not to a facility that produces electricity? Mr. Burner stated that legal has offered the opinion that the ordinance is designed to address any facility that produces, generates, or transmits more than 40 kilovolts of power. Ms. Grech stated that she strongly disagrees with the opinion of legal. Mr. Weakley concurred with Ms. Grech.

Ms. Grech posed several questions concerning the application itself. There was no one present from Urban Grid to answer the questions being posed. Ms. Grech asked if a topographical map could be generated by GIS. Mr. Weakley suggested and made a motion that the matter be tabled until there is someone present representing Urban Grid before further reviewing the application. Mr. Atkins seconded the motion. The motion passed unanimously, 7-0.

B. High Speed Link/Tanner's Ridge Properties, LLC – Special Use Permit Application (Discussion of SUP Conditions)

The commissioners discussed the conditions of this SUP item by item. Ms. Butler clarified that the length of the SUP coincides with the lease terms. "On the tower" was struck from condition #6 to encompass any lighting. As related to condition #10, Ms. Butler explained that the site was heavily wooded and it is staff's opinion there is no need for screening or landscaping. Commissioners agreed on condition #10 as follows, "Screening and landscaping requirement as referenced in Section 125-30.3.G.(4) shall be waived." All other conditions were agreed to as proposed.

- C. High Speed Link/Cunningham Special Use Permit Application (Discussion of SUP Conditions)
 The commissioners discussed the conditions of this SUP item by item. "On the monopole" was struck from condition #6 to encompass any lighting. Ms. Butler stated that the commission had discussed a board-on-board fence at the last meeting. Staff suggested the landscaping requirement be waived because of the location of the site. Commissioners agreed on condition #10 as follows, "Screening requirement shall be a 6-foot board on board privacy fence. Landscaping requirement as referenced in Section 125-30.3.G(4) shall be waived." All other conditions were agreed to as proposed.
- D. Review draft of Zoning and Subdivision Ordinance provided by the Berkley Group Chairman Burner stated that Ms. Clatterbuck has not been able to review the draft yet since we have had so many other items on the agenda.

Jared Burner, Chairman	Keith Weakley, Vice Chairman
Chairman Burner requested a motion to Smelser seconded the motion. The meet	o adjourn the meeting. Mr. Weakley made a motion to adjourn. Mr ting was adjourned at 7:59 p.m.